

**FILED**

AUGUST 19, 1982

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
NEW JERSEY STATE BOARD OF MEDICAL  
EXAMINERS  
DOCKET NO.

In the Matter of the Suspension  
or Revocation of the License of

ANTHONY R. SCARPELLO, D.C.

To Practice Chiropractic in the  
State of New Jersey

---

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

Administrative Action  
FINAL DECISION AND ORDER

This matter was opened before the New Jersey Board of Medical Examiners by a Complaint filed on February 25, 1982 by Irwin I. Kimmelman, Attorney General of New Jersey, by Mary Andruzzi, Deputy Attorney General. The Complaint charged that Anthony R. Scarpello, D.C. had violated N.J.S.A. 45:9-16 and N.J.S.A. 45:1-21 (f) in that Anthony R. Scarpello, D.C. had been allegedly convicted of a crime of moral turpitude and/or a crime relating adversely to the practice of medicine. According to the Complaint Anthony R. Scarpello, D.C. had been convicted on November 4, 1981 of mail fraud in violation of Title 18, U.S.C. Section 371 in that the Respondent conspired to fraudulently obtain money from insurance companies by preparing false medical reports and other documents.

On March 29, 1982 Anthony R. Scarpello, D.C. entered a plea of non vult to the charges to the Complaint. On July 14, 1982 Albert G. Besser, Esq. appeared on behalf of the Respondent to present to the Board mitigating circumstances regarding a determination of disciplinary sanction in this matter. This presentation by Albert G. Besser, Esq. included both an oral and written statement as well as certain exhibits including evaluation of the Respondent's performance as an inmate at Lewisbury Penitentiary, and letters from the Respondent, his friends and patients as well as the postal inspector indicating Respondent's cooperation with the continuing federal investigation. The Board reviewed the Judgment of Conviction against Anthony R. Scarpello and the Indictment Criminal number 81-133.

In considering the disciplinary sanction to be imposed upon the Respondent, the Board has considered the Respondent's plea of non vult to the Complaint whereby the Respondent admits the charges in the Complaint, and the Board has considered the mitigating circumstances presented by the Respondent and his attorney. In addition the Board has weighed the nature of the criminal offense involving fraudulent chiropractic reports and other documents falsely claiming treatment rendered when none in fact had occurred. These false reports and documents were created solely as part of a scheme to defraud insurance companies. These fraudulent reports and documents were repeatedly fabricated by the Respondent over more than one year and purported to claim innumerable occasions of treatment for several persons. Such a persistent pursuit of this type of fraud is deplored by the Board and is devoid of any excusable circumstances. The Board is of the view that such a pervasive scheme of fraudulent chiropractic reports and

documents should be deterred in other practitioners and disciplined in the Respondent by the appropriate sanction of revocation of the license of Anthony R. Scarpello, D.C. to practice chiropractic.

IT IS ON THIS 16 day of August, 1982  
O R D E R E D :

That the license #1373 of Anthony R. Scarpello to practice chiropractic is hereby revoked effective upon filing of this Order.

A handwritten signature in black ink, appearing to read "Edwin H. Albano", with a stylized flourish at the end.

EDWIN H. ALBANO, M.D.  
President  
N.J. Board of Medical Examiners